

# EXHIBIT 3

Report of Service

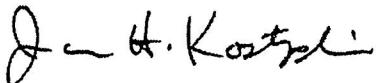
Sheriff's No. 24000536  
Doc # 24TRCV00333

Book:  
Page:

Attorney: CAPITOL PROCESS SERVICES, INC.  
County of Venue: SUPERIOR COURT OF THE STATE OF C  
ANGELES-TORRANCE COURTHOUSE

Superior Court

(State of New Jersey) I James H. Kostoplis, Sheriff of Burlington County, Do Hereby Authorize a Duly  
(Burlington County) Sworn Sheriff's Officer, To Execute and Return the Documents According to Law.



James H. Kostoplis, Sheriff

Odise A. Carr, Undersheriff

Witness My Hand and Seal, This Day of 3/20/2024

**Defendant's Name/Address:**

BRIAN PATRICK DURNING INMATE #07785-  
510  
FCI  
5756 HARTFORD & POINTVILLE ROAD  
FORT DIX, NJ 08640

**Date Served:**  
3/20/2024

**Time Served:**  
9:45 AM

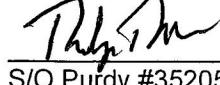
**Service Address:**  
FCI  
5756 HARTFORD & POINTVILLE ROAD  
FORT DIX, NJ 08640

Attempted Dates/Times prior to service:

**Type of Service:** O/S Personal Service (SELF)

**Description of the Out of State Documents served:** SUMMONS, ORDER GRANTING EX-PARTE APPLICATION TO ALLOW PLAINTIFFS' GUARDIAN AD LITEM TO PROCEED UNDER A PSEUDONYM, CIVIL CASE COVER SHEET, CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION, COMPLAINT FOR 1. INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS; 2. GROSS NEGLIGENCE ; 3. NEGLIGENCE; 4 NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS ; 5. VIOLATION OF BUSINESS AND PROFESSIONS CODE SECTION 17200; 6. ASSULT; 7. SEXUAL BATTERY (CIVIL CODE SECTION 1708.5); 8. BATTERY; AND INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS DEMAND FOR JURY TRAIL, PRAYER FOR RELIEF, SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES, NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE, NOTICE OF CASE MANAGEMENT CONFERENCE

I Served the within Documents, and/or A True Copy  
Thereof.



S/O Purdy #35205

Officer's Notes:

Out of State:

POS-010

|  |  |                             |
|--|--|-----------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):<br>Jessica R. Lobis Buckwalter (SBN 199200), Lewis Baach Kaufmann Middlemiss, 1050 K Street, NW, Washington D.C. 20001 |  | FOR COURT USE ONLY          |
| TELEPHONE NO.: 202-833-8900 FAX NO. (Optional):<br>E-MAIL ADDRESS (Optional): jessica.buckwalter@lbkmlaw.com<br>ATTORNEY FOR (Name): Plaintiffs Z.B. and J.B., through their guardian, and S.S.  |  |                             |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b><br>STREET ADDRESS: 825 Maple Ave.<br>MAILING ADDRESS:<br>CITY AND ZIP CODE: Torrance, 90503<br>BRANCH NAME: Torrance Courthouse       |  |                             |
| PLAINTIFF/PETITIONER: Z.B. and J.B., through their guardian, and S.S.<br>DEFENDANT/RESPONDENT: Delta Air Lines Inc., Brian Patrick Durning and DOES 1-5  |  | CASE NUMBER:<br>24TRCV00333 |
| <b>PROOF OF SERVICE OF SUMMONS</b>   |  | Ref. No. or File No.:       |

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:
  - summons
  - complaint
  - Alternative Dispute Resolution (ADR) package
  - Civil Case Cover Sheet (*served in complex cases only*)
  - cross-complaint
  - other (*specify documents*):
- a. Party served (*specify name of party as shown on documents served*):
  - Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (*specify name and relationship to the party named in item 3a*):
- Address where the party was served: *575b Hartford & Pointville Rd.  
Fort Dix, NJ 08640*
- I served the party (*check proper box*)
  - by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): *03/20/24* (2) at (time): *9:45 a.m.*
  - by substituted service.** On (date): *at (time):* I left the documents listed in item 2 with or in the presence of (*name and title or relationship to person indicated in item 3*):
    - (**business**) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (**home**) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (**physical address unknown**) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): *from (city):* *or*  a declaration of mailing is attached.
    - I attach a **declaration of diligence** stating actions taken first to attempt personal service.

RECEIVED  
BURLINGTON COUNTY SHERIFF

2024 MAR - 7 A ID: 10707

POS-010

|  |                             |
|--|-----------------------------|
| PLAINTIFF/PETITIONER: Z.B. and J.B., through their guardian, and S.S.          | CASE NUMBER:<br>24TRCV00333 |
| DEFENDANT/RESPONDENT: Delta Air Lines Inc., Brian Patrick Durning and DOES 1-5 |                             |

5. c.  **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):  (2) from (city):

(3)  with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30.)

(4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d.  **by other means** (*specify means of service and authorizing code section*):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a.  as an individual defendant.  
 b.  as the person sued under the fictitious name of (*specify*):  
 c.  as occupant.  
 d.  On behalf of (*specify*):

under the following Code of Civil Procedure section:

|   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
| <input type="checkbox"/> other:                                   |   |

7. **Person who served papers**

a. Name: *S10 Purdy #35205*  
 b. Address: *49 Rancocas Rd. Mt. Holly, NJ 08060*  
 c. Telephone number: *609-265-5121*  
 d. The fee for service was: \$ *31.80*

e. I am:

(1)  not a registered California process server.  
 (2)  exempt from registration under Business and Professions Code section 22350(b).  
 (3)  a registered California process server:

(i)  owner  employee  independent contractor.  
 (ii) Registration No.:   
 (iii) County:

8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
 or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date:

*S10 Purdy #35205*

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)

SUM-100

**SUMMONS**  
**(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:** A. (1) (1)  
**(AVISO AL DEMANDADO):**

DELTA AIR LINES INC., a corporation; BRIAN PATRICK DURNING, an individual; and DOES 1-5, inclusive.

**YOU ARE BEING SUED BY PLAINTIFF:**

**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Z.B, a minor, and J.B., a minor, by their guardian, S.S., and S.S., an individual.

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
2/16/2024 11:44 AM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By M. Horan, Deputy Clerk

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.**

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.**

The name and address of the court is:

(El nombre y dirección de la corte es): Los Angeles Superior Court

Torrance Courthouse, 825 Maple Ave, Torrance, CA 90503

CASE NUMBER:  
(Número del Caso):

24TRCV00333

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Jessica Lobis Buckwalter(199200) Lewis Baach Kaufmann Middlemiss,1050 K St. NW Suite 400,Washington DC 20001;(202)659-7971

DATE: 02/16/2024 David W. Slayton, Executive Officer/Clerk of Court Clerk, by \_\_\_\_\_ M. Horan , Deputy (Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)



**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant. Brian Patrick Durning

2.  as the person sued under the fictitious name of (specify):

3.  on behalf of (specify):

|        |  |   |
|--------|--|---|
| under: | <input type="checkbox"/> CCP 416.10 (corporation)                | <input type="checkbox"/> CCP 416.60 (minor)             |
|        | <input type="checkbox"/> CCP 416.20 (defunct corporation)        | <input type="checkbox"/> CCP 416.70 (conservatee)       |
|        | <input type="checkbox"/> CCP 416.40 (association or partnership) | <input type="checkbox"/> CCP 416.90 (authorized person) |
|        | <input type="checkbox"/> other (specify):                        |   |

4.  by personal delivery on (date):